



# City of Pflugerville

## Meeting Agenda - Final

### City Council

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Tuesday, August 12, 2014

7:00 PM

100 East Main Street, Suite 500

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#### Regular Meeting

#### 1. Call to order

#### 2. Opening

A. Pledge of Allegiance to the Flag of the United States of America: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands: one nation under God, indivisible, with liberty and justice for all.

B. Pledge of Allegiance to the Texas State Flag: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

#### 3. Presentation

3A. [2014-3207](#) Back to School Safety Presentation.

#### 4. Public Hearing and Ordinance First Reading

4A. [ORD-0207](#) Conduct a public hearing and consider approving the first reading of an ordinance with a caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1015-09-09-08 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY CHANGING THE ZONING DESIGNATION OF LOT 13B, BLOCK B WILLOW CREEK SECTION ONE, LOCALLY ADDRESSED AS 612 F.M. 685, PFLUGERVILLE, TX FROM GENERAL BUSINESS 1 (GB1) TO GENERAL BUSINESS 2 (GB2); TO BE KNOWN AS 612 FM 685 STORAGE REZONING (REZ1406-02) AND PROVIDING AN EFFECTIVE DATE.

#### 5. Public Comment

In accordance with the Texas Attorney General's Opinion, any public comment that is made on an item that is not on the published final agenda will only be heard by the City Council. No formal action, discussion, deliberation, or comment will be made by the City Council. Each person providing public comment will be limited to 3 minutes.

#### Reading of the Consent Agenda

The following items may be acted upon in a single motion. No separate discussion or action on any of these items will be held unless requested by a member of the City Council. Public comment on consent agenda items may be heard without removing the item from the consent agenda. Each person providing public comment will be limited to 3 minutes.

**6. Approval of Minutes**

- 6A. [2014-3197](#) Approval of the minutes of the July 15, 2014 and July 16, 2014 City Council Worksessions, July 22, 2014 City Council Worksession and Regular Meeting, and July 23, 2014 City Council Worksession.

**7. Ordinances First Reading**

- 7A. [ORD-0209](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE THIRD AMENDMENT TO FISCAL YEAR 2014 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

**8. Ordinances Second Reading**

- 8A. [ORD-0206](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, CHAPTER 72 REGARDING SPEED LIMITS ON CITY STREETS, ESTABLISH PRIMA FACIE MAXIMUM SPEEDS, AND PROVIDING AN EFFECTIVE DATE for South Heatherwilde Boulevard, Immanuel Road and North Railroad Avenue .

**9. Other Actions**

- 9A. [2014-3187](#) Approving the selection of Cobb Fendley & Associates, Inc. for professional engineering services associated with design, bidding, and construction administration of the East Pecan Street Widening Project and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 9B. [2014-3188](#) Approving and authorizing the City Manager to enter into a Sidewalk Easement Agreement by and between Aldi (Texas) L.L.C. and the City of Pflugerville generally located near the southeast corner of F.M. 685 and E. Pfennig Lane, on Lot 1, Block A of the Town Center 2 Subdivision.
- 9C. [2014-3189](#) Approving and authorizing the City Manager to enter into a Water Line Easement Agreement by and between Aldi (Texas) L.L.C. and the City of Pflugerville for the necessary water construction associated with the proposed Aldi site development project.

- 9D. [2014-3196](#) Appointing Ms. Jan Payne to the Board of Adjustment as a regular member with a term ending December 31, 2015.
- 9E. [2014-3204](#) Receive report on City Council, Commission, Board and Committee expenditures for July 2014.

## Action on the Consent Agenda

### 10. Ordinance First Reading

- 10A. [ORD-0210](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FOURTH AMENDMENT TO FISCAL YEAR 2014 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

### 11. Discuss and consider action

- 11A. [2014-3154](#) Discuss and consider action to authorize the City Manager to execute a contract with DKC Construction Group in the amount of \$509,953 for construction and expansion of Public Works Offices at the Wastewater Treatment Plant site.
- 11B. [2014-3184](#) Discuss and consider action to approve the selection of MWM Design Group for the Parks Architecture Project including improvements to the Pfluger Park Restroom, Gilleland Creek Pool House & Kenneth Bohls House and authorizing the City Manager to enter into negotiations regarding a scope of work and fee proposal.
- 11C. [2014-3202](#) Discuss and consider action regarding future agenda items.

### 12. Discuss only

- 12A. [2014-3206](#) Discuss testing requirements applicable to residential construction per the International Residential Code (IRC).
- 12B. [2014-2879](#) Discussion regarding the Fiscal Year 2015 budget and City Council Fiscal Year 2015 goals.
- 12C. [2014-3198](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning economic development negotiations.
- 12D. [2014-3199](#) 1.) Executive Session Item: Consultation with legal counsel regarding provision of emergency services within the City pursuant to Chapter 551.071 of the Texas Government Code.
- 12E. [2014-3200](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice

regarding the provision of public utilities within the City of Pflugerville.

- 12F.** [2014-3201](#) 1.) Executive Session Item: Deliberations regarding real property acquisition pursuant to Chapter 551.072 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning real property acquisition.

- 12G.** [2014-3203](#) 1.) Executive Session Item: Deliberations with legal counsel regarding what steps are necessary to preserve, protect and pursue the City's legal options related to the Lake Pflugerville Pump Station failure pursuant to Chapter 551.071 of the Texas Government Code .

**13. Adjourn**

Executive sessions held during this meeting will generally take place in Suite 300, at the discretion of the City Council.

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

**Attendance By Other Elected or Appointed Officials:**

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Jeff Coleman, Mayor

This is to certify that a copy of this agenda for this meeting was posted on the bulletin board located at the City Municipal Building on August 8, 2014, at 5:00 PM pursuant to Section 551.041, Government Code.

Karen Thompson, City Secretary

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